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FILED

MAY 12 2008

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,) Case No. CR 08-0184 MAG
12 Plaintiff,)
13 v.)
14 NICK J. WHITAKER,)
15 Defendant.)
16

[PROPOSED] ORDER FOR SUMMONS

17 Having reviewed the Declaration of Timothy O'Connell, the Court finds that probable cause
18 exists to believe that an offense has been committed. Accordingly, pursuant to Fed. R. Crim. P.
19 58(d)(3), the Clerk of the Court is directed to issue a Summons directing the defendant, Nick J.
20 Whitaker, 101 Hyde Street, San Francisco, California 94102, to appear on June 13, 2008 at 9:30,
21 a.m. before Magistrate Judge Bernard Zimmerman to answer the Information that has been filed
22 by the United States Attorney.

24 IT IS SO ORDERED.
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26 Dated: 5/12/08

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EDWARD M. CHEN
United States Magistrate Judge